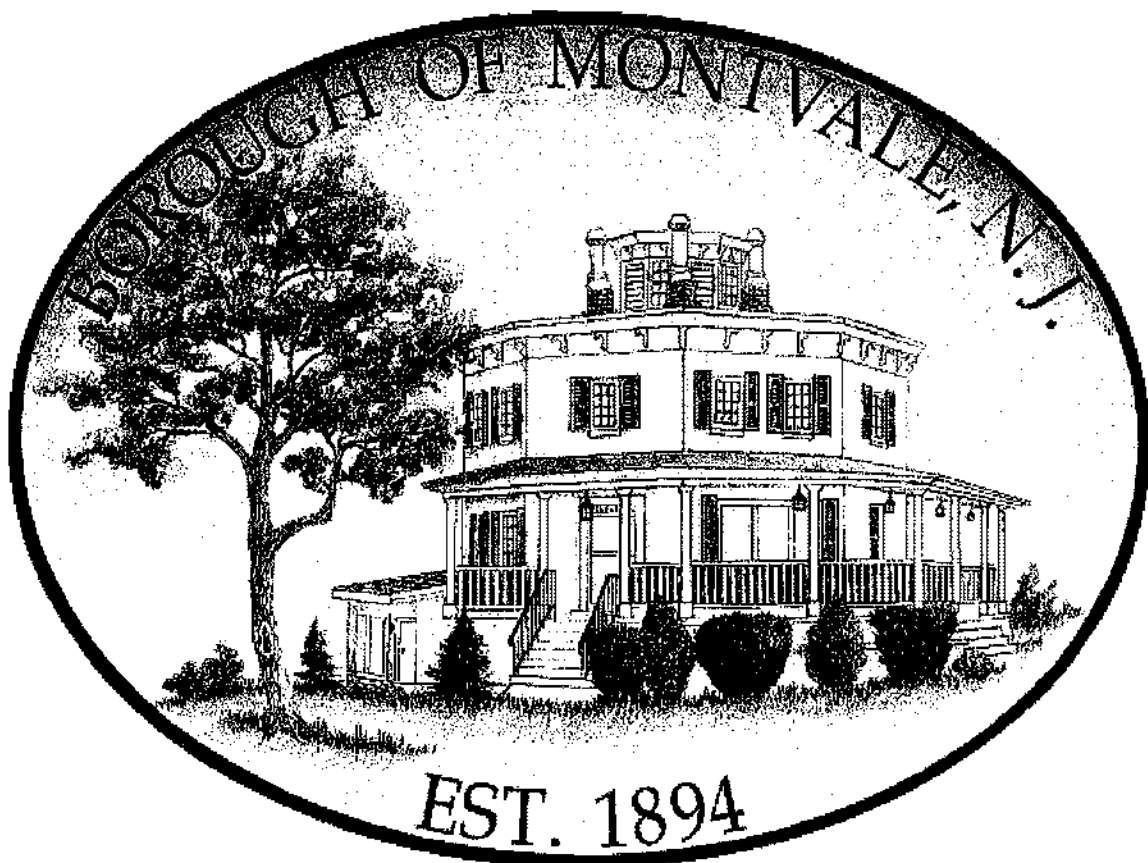


MAYOR AND COUNCIL MEETING

DECEMBER 8, 2020



**AGENDA
PUBLIC MEETING
BOROUGH OF MONTVALE
Mayor and Council Meeting
December 8, 2020
Meeting to Commence 7:30 P.M.
Executive Session 6:30 P.M.**

CLOSED/EXECUTIVE SESSION:

Motion to move into Executive Session as provided for by Resolution No. 15-2020 adopted on January 1, 2020 and posted on the bulletin board in the Municipal Building:

The Mayor and Council will go into a Closed /Executive Session for the following:

Attorney/Client Privilege/Acquisition of Property

1. Proposed Acquisition of Property
2. Potential Litigation/Attorney Client Privilege

Minutes to be disclosed as per the Open Public Meetings Act and Resolution No. 15-2020 matters discussed will be disclosed to the public when such matters are finally determined and there is no reason to prohibit the public disclosure of information relating to such matters.

ROLL CALL:

Councilmember Arendacs	Councilmember Lane
Councilmember Curry	Councilmember Roche
Councilmember Koelling	Councilmember Russo-Vogelsang

SWEARING IN MONTVALE POLICE OFFICERS:

Krystian Maleszewski
Nicholas Mazzeo

PRESENTATION OF ANNUAL SERVICE AWARD:

Richard Voorhees

ORDINANCES:

INTRODUCTION ORDINANCE NO. 2020-1490 AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 344, "STORMWATER MANAGEMENT," BY REPLACING ARTICLE I, "MAJOR DEVELOPMENTS"
(Public Hearing 12-29-2020)

INTRODUCTION ORDINANCE NO. 2020-1491

AN ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) TO FUND A DEFICIT IN OPERATIONS OF THE BOROUGH DIRECTLY ATTRIBUTABLE TO COVID-19 WHICH IS ANTICIPATED TO BE EXPERIENCED BY THE BOROUGH IN THE CURRENT 2020 FISCAL YEAR
(Public Hearing 12-29-2020)

INTRODUCTION ORDINANCE NO. 2020-1492

AN ORDINANCE TO AMEND VARIOUS SALARY ORDINANCES OF 2020 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY
(Public Hearing 12-29-2020)

INTRODUCTION ORDINANCE NO. 2020-1493

AN ORDINANCE APPROVING THE APPLICATION AND FINANCIAL AGREEMENT AUTHORIZING A TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES PROGRAM FOR MONTVALE FAMILY APARTMENTS URBAN RENEWAL, LLC FOR THE CONSTRUCTION OF A 100% AFFORDABLE HOUSING DEVELOPMENT ON BLOCK 1002, LOTS 3 AND 5
(Public Hearing 12-29-2020)

MEETING OPEN TO PUBLIC:

Agenda Items Only

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

November 24, 2020

MINUTES CLOSED/EXECUTIVE SESSION:

November 24, 2020

RESOLUTIONS: (CONSENT AGENDA*)

*All items listed on a consent agenda are considered to be routine and non-controversial by the Borough Council and will be approved by a motion, seconded and a roll call vote. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

192-2020 COVID -19 SPECIAL EMERGENCY/Certification of Chief Financial Officer and Approval of Governing Body

193-2020 COVID -19 SPECIAL EMERGENCY SPECIAL EMERGENCY RESOLUTION-N.J.S.A 40A:4-53

194-2020 CANCELLATION OF IMPROVEMENT AUTHORIZATIONS

195-2020 CANCELLATION OF 2019 CURRENT FUND APPROPRIATION RESERVE BALANCE

196-2020 CANCELLATION OF PRIOR YEAR OUTSTANDING CHECKS

197-2020 CANCELLATION OF RECEIVABLE BALANCE

198-2020 A Resolution Approving the Borough of Montvale "Remote Work" Program Policy

199-2020 Cancellation of Tax and Excess Sewer Overpayments or Delinquent Amounts Less than \$10.00

200-2020 Award Contract/East Coast Emergency Lighting/Upfitting To Police Vehicles/

State Contract #T0106 17 – Fleet-00-743

201-2020 A Resolution Authorizing the Borough of Montvale Police Department to Apply, Enroll and Participate in the Department of Defense Law Enforcement Support Office ("LESO") 1033 Program to Enable the Montvale Police Department to Request and Acquire Excess Department of Defense Equipment/Year 2021

202-2020 Award Lease/Purchase Police Vehicle / Hertrich Fleet Services / Ford Motor Credit Municipal Finance State Contract # A88729 (T2776)

203-2020 Authorize Release Of Performance Guarantee/Montvale Development Associates, LLC/ Block 2802/Lot 2 & 3 Block 1002/Lots 3 & 5/Posting Of Two Year Maintenance Bond

BILLS:

REPORT OF REVENUE:

COMMITTEE REPORTS:

ENGINEER'S REPORT:

Andrew Hipolit
Report/Update

ATTORNEY REPORT:

Joe Voytus, Esq.
Report/Update

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

None.

COMMUNICATION CORRESPONDENCE:

None.

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT:

The next Regular Meeting of the Mayor and Council will be held December 29, 2020
2021 Budget Meeting 6:00 p.m. December 29, 2020

ZOOM information is as follows:

Topic: M&C Meeting

<https://us02web.zoom.us/j/88491084325?pwd=L2U5RVpYMGIeFdaNzdGcFFWUTd3UT09>

Passcode: 222775

By phone

1 929 436 2866

Webinar ID: 884 9108 4325

Passcode: 222775

*******Disclaimer*******

Subject to Additions And/Or Deletions

BOROUGH OF MONTVALE

ORDINANCE NO. 2020-1490

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 8th day of December 2020, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 29th day of December 2020 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk
Borough of Montvale

AN ORDINANCE OF THE BOROUGH OF MONTVALE AMENDING AND SUPPLEMENTING CHAPTER 344, "STORMWATER MANAGEMENT," BY REPLACING ARTICLE I, "MAJOR DEVELOPMENTS"

BE IT ORDAINED by the Mayor and Council of the Borough of Montvale, as follows:

Section 1. Chapter 344, "Stormwater Management," is hereby amended and supplemented by repealing Article I, "Major Developments," and replacing said Article as follows:

Article I
Major Developments

§344-1 Scope and Purpose.

A. Policy Statement

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

The purpose of this Article is to establish minimum stormwater management requirements and controls for "major development," as defined below in Section 2 of this Article.

C. Applicability

1. This Article shall be applicable to the following major developments:
 - a. Non-residential major developments; and
 - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This Article shall also be applicable to all major developments undertaken by the Borough of Montvale.

D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this Article are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this Article shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This Article is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this Article imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§344-2 Definitions.

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Article clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

"CAFRA Centers, Corcs or Nodes" means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“CAFRA Planning Map” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this Article.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.* In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 *et seq.*

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Environmentally critical area” means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

“Empowerment Neighborhoods” means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

“Erosion” means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

“Green infrastructure” means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

“HUC 14” or “hydrologic unit code 14” means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

“Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“Infiltration” is the process by which water seeps into the soil from precipitation.

“Lead planning agency” means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

“Major development” means an individual “development,” as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of “regulated impervious surface” since February 2, 2004;
3. The creation of one-quarter acre or more of “regulated motor vehicle surface” since the effective date of this Article; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of “major development” but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered “major development.”

“Motor vehicle” means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

“Motor vehicle surface” means any pervious or impervious surface that is intended to be used by “motor vehicles” and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

“Municipality” means any city, borough, town, township, or village.

“New Jersey Stormwater Best Management Practices (BMP) Manual” or “BMP Manual” means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this Article. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department’s determination as to the ability of that best management practice to contribute to compliance with the standards contained in this Article. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this Article, provided the design engineer demonstrates to the municipality, in accordance with Section 4.F of this Article and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this Article.

“Node” means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

“Nutrient” means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

“Person” means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or
quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§344-3 Design and Performance Standards for Stormwater Management Measures.

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
 1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.

2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.
- B. The standards in this Article apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

§344-4 Stormwater Management Requirements for Major Development.

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section 10 of this Article.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Subsections P, Q and R below:
 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Subsections O, P, Q and R below may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;

2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Subsections O, P, Q and R below to the maximum extent practicable;
 3. The applicant demonstrates that, in order to meet the requirements of Subsections O, P, Q and R below, existing structures currently in use, such as homes and buildings, would need to be condemned; and
 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under Subsection D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Subsections O, P, Q and R below that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Subsections O, P, Q and R below. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 below are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this Article, the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

<u>Table 1</u> <u>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</u>				
<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Cistern</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>==</u>
<u>Dry Well^(a)</u>	<u>0</u>	<u>No</u>	<u>Yes</u>	<u>2</u>
<u>Grass Swale</u>	<u>50 or less</u>	<u>No</u>	<u>No</u>	<u>2^(e)</u> <u>1^(f)</u>
<u>Green Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>==</u>
<u>Manufactured Treatment Device^{(a) (g)}</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Pervious Paving System^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Biorctention Basin^(a)</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Infiltration Basin^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Small-Scale Sand Filter</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Vegetative Filter Strip</u>	<u>60-80</u>	<u>No</u>	<u>No</u>	<u>==</u>

(Notes corresponding to annotations ^(a) through ^(g) are found after Table 3 below)

Table 2
Green Infrastructure BMPs for Stormwater Runoff Quantity
(or for Groundwater Recharge and/or Stormwater Runoff Quality
with a Waiver or Variance from N.J.A.C. 7:8-5.3)

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Bioretention System</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Infiltration Basin</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Sand Filter^(b)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Standard Constructed Wetland</u>	<u>90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Wet Pond^(d)</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

(Notes corresponding to annotations ^(b) through ^(d) are found after Table 3 below)

<u>Table 3</u> <u>BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or</u> <u>Stormwater Runoff Quantity</u> <u>only with a Waiver or Variance from N.J.A.C. 7:8-5.3</u>				
<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Manufactured Treatment Device^(h)</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter^(c)</u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Subsection 0.2 below;
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure in Section 2 of this Article;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure in Section 2 of this Article.

- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section 6.B of this Article. Alternative stormwater management measures may be used to satisfy the requirements at Subsection O below only if the measures meet the definition of green infrastructure in Section 2 of this Article. Alternative stormwater management measures that function in a similar manner to a BMP listed at Subsection O.2 below are subject to the contributory drainage area limitation specified at Subsection O.2 below for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Subsection O.2 below shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Subsection D above is granted from Subsection O below.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);

2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section 8.C of this Article;
 3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, -7.4, and -7.5 shall be deemed to meet this requirement;
 4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section 8 of this Article; and
 5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section 2 of this Article may be used only under the circumstances described at Subsection O.4 below.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Subsections O, P, Q and R below and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections P, Q and R below shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the Bergen County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections O, P, Q and R below and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section 10.B.5 of this Article. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section 4 of this Article and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the Bergen County Clerk and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with Subsection M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with Subsection M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Subsections P and Q below, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Subsection F above and/or an alternative stormwater management measure approved in accordance with Subsection G above. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

<u>Best Management Practice</u>	<u>Maximum Contributory Drainage Area</u>
<u>Dry Well</u>	<u>1 acre</u>
<u>Manufactured Treatment Device</u>	<u>2.5 acres</u>
<u>Pervious Pavement Systems</u>	<u>Area of additional inflow cannot exceed three times the area occupied by the BMP</u>
<u>Small-scale Bioretention Systems</u>	<u>2.5 acres</u>
<u>Small-scale Infiltration Basin</u>	<u>2.5 acres</u>
<u>Small-scale Sand Filter</u>	<u>2.5 acres</u>

3. To satisfy the stormwater runoff quantity standards at Subsection R below, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Subsection G above.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Subsection D above is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Subsection G above may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Subsections P, Q and R below.

5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Subsections P, Q and R below, unless the project is granted a waiver from strict compliance in accordance with Subsection D above.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section 5 of this Article, either:
 - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to Subsection P.4 below.
4. The following types of stormwater shall not be recharged:
 - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and

- ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - i. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - ii. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with Subsection Q.2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.

4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4 below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and

A = the TSS Percent Removal Rate applicable to the first BMP

B = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Subsections P, Q and R hereof.
7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section 5 of this Article, complete one of the following:

- i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
 - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
 - iii. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
 - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with Subsection R.2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§344-5 Calculation of Stormwater Runoff and Groundwater Recharge.

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using one of the following methods:
 - i. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for*

Small Watersheds (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- ii. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at Subsection A.1.i above and the Rational and Modified Rational Methods at Subsection A.1.ii above. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).

3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 - Urban Hydrology for Small Watersheds* or other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricclst/gsrreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420
Mail Code 29-01, Trenton, New Jersey 08625-0420.

§344-6 Sources for Technical Guidance.

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3 of this Article.

2. Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm.

- B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

§344-7 Solids and Floatable Materials Control Standards.

- A. Site design features identified under Section 4.F of this Article, or alternative designs in accordance with Section 4.G of this Article, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Subsection A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
 - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in Subsection A.1 above does not apply:
- i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
 - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
 - iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
 - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
 - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and -7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§344-8 Safety Standards for Stormwater Management Basins.

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Subsections C.1, C.2, and C.3 below for trash racks, overflow grates, and escape provisions at outlet structures.

C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
 - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
 - ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
 - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
 - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
 - i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - ii. The overflow grate spacing shall be no less than two inches across the smallest dimension
 - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
 - i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to this Subsection C, a free-standing outlet structure may be exempted from this requirement;
 - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface,

and the second step shall be located one to one and one-half feet above the permanent water surface. See Subsection F below for an illustration of safety ledges in a stormwater management BMP; and

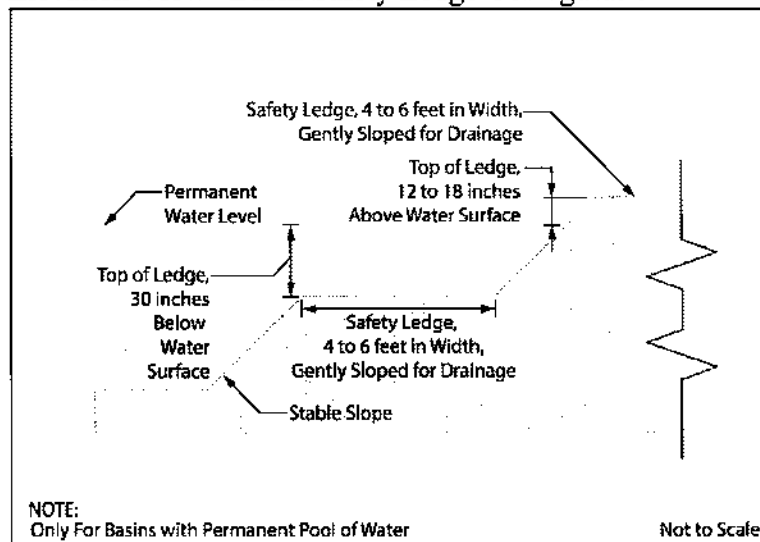
- iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View -- Basin Safety Ledge Configuration



§344-9 Requirements for a Site Development Stormwater Plan.

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this Article, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Subsection C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this Article.

3. The applicant shall submit copies of the materials listed in the checklist for site development stormwater plans in accordance with Subsection C below, with the number of copies to be specified by the Planning Board Secretary.

B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the Planning Board engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this Article.

C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and

other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections 3 through 5 of this Article are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section 4 of this Article.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section 10 of this Article.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this Article may, in consultation with the Planning Board engineer, waive submission of any of the requirements in Subsections C.1 through C.6 above when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§344-10 Maintenance and Repair.

A. Applicability

Projects subject to review as in Section 1.C of this Article shall comply with the requirements of Subsections B and C below.

B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

5. If the party responsible for maintenance identified under Subsection B.3 above is not a public agency, the maintenance plan and any future revisions based on Subsection B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.

Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

6. The party responsible for maintenance identified under Subsection B.3 above shall perform all of the following requirements:
 - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Subsections B.6 and B.7 below.
7. The requirements of Subsections B.3 and B.4 above do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.

https://www.njstormwater.org/maintenance_guidance.htm.

8. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.

- C. Nothing in this Section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§344-11 Penalties.

Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this Article shall be subject to the penalties as set forth in Chapter 1, Article I, General Penalty.

§344-12 [RESERVED]

Section 2. Severability.

If any provision or portion of a provision of this Ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the Ordinance shall not be invalidated and shall remain in full force and effect.

Section 3. Effective date.

This Ordinance shall take effect immediately upon adoption and publication as required by law.

Section 4. Repeal of inconsistent ordinances.

All ordinances and parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSHI-ALWAN,
Municipal Clerk

INTRODUCTION: 12-8-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 12-29-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

BOROUGH OF MONTVALE

ORDINANCE NO. 2020-1491

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 8th day of December 2020, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 29th day of December 2020 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

AN ORDINANCE OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) TO FUND A DEFICIT IN OPERATIONS OF THE BOROUGH DIRECTLY ATTRIBUTABLE TO COVID-19 WHICH IS ANTICIPATED TO BE EXPERIENCED BY THE BOROUGH IN THE CURRENT 2020 FISCAL YEAR

WHEREAS, the Governor of the State of New Jersey (the "State") has heretofore declared a public health emergency pursuant to the Emergency Health Powers Act, P.L. 2005, c. 222, and a state of emergency pursuant to P.L. 1942, c. 251, in response to the outbreak of the coronavirus as announced by the World Health Organization on February 11, 2020, and first identified in Wuhan, China ("COVID-19"); and

WHEREAS, N.J.S.A. 40A:4-53(m) provides that a municipality may, subject to the approval of the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs (the "Director"), adopt an ordinance providing for a special emergency appropriation for the funding of a deficit in operations incurred by the Borough directly attributable to COVID-19; and

WHEREAS, the Borough of Montvale has experienced approximately \$320,000 in COVID-19 related revenue losses during the 2020 budget year, and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A:4-53, as amended by P.L. 2020, c. 74, the Borough must, prior to December 1, make application to the Director to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of the 2020 budget year; and

WHEREAS, the Borough has requested and received an extension to December 9, 2020 to make application to the Director of the Division of Local Government Services; and

WHEREAS, the Chief Financial Officer of the Borough has prepared and executed a certification in the form prescribed by the Director, a copy of which has been presented at this meeting, certifying that the deficit balances anticipated to be reported on the Borough's annual financial statement for the current fiscal year in an amount equal to \$320,000; and

WHEREAS, the Borough Council, by resolution adopted on December 8, 2020, by a majority of the full governing body, approved the certification and the submission of the application to the Director in accordance with N.J.S.A. 40A:4-53(m); and

WHEREAS, the Borough Council now wishes to make a special emergency appropriation in accordance with N.J.S.A. 40A:4-53(m) and adopt an ordinance authorizing such special emergency appropriation in the amount of \$320,000 to provide for the funding of such deficit balances.

NOW THEREFORE BE IT ORDAINED AND ENACTED BY THE GOVERNING BODY OF THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. Pursuant to N.J.S.A. 40A:4-53(m), the Borough has determined and does hereby authorize a special emergency appropriation in the amount of \$320,000 subject to the approval of the Director.

SECTION 2. The portion of the authorization financed shall be provided for in succeeding budgets by inclusion of at least one-fifth (1/5) of the amount authorized by this ordinance beginning in the year after the year in which the resulting deferred charge appears in the Borough's unaudited financial statements, as provided by N.J.S.A 40A:4-55. Thus, the deferred charge resulting from the special emergency in 2020 will not be budgeted in 2021, but rather one-fifth (1/5) of the amount will be budgeted in the 2022 through 2026 annual budgets.

SECTION 3. The Mayor and Chief Financial Officer are each hereby authorized and directed to determine all matters in connection with the special emergency appropriation not determined by this or a subsequent ordinance, all in consultation with the Borough Attorney or Bond Counsel, and the manual or facsimile signature of the Mayor or Chief Financial Officer upon any documents shall be conclusive as to all such determinations.

SECTION 4. A certified copy of this ordinance shall be filed with the Director of the Division of Local Government Services, New Jersey Department of Community Affairs ("the Director").

SECTION 5. This ordinance is subject to the approval of the Director and shall take effect upon final passage and publication, as required by law; provided that the approval of the Director has been obtained.

MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN
Municipal Clerk

INTRODUCTION: 12-8-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 12-29-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

BOROUGH OF MONTVALE

ORDINANCE NO. 2020-1492

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 8th day of December 2020, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 29th day of December 2020 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk
Borough of Montvale

AN ORDINANCE TO AMEND VARIOUS SALARY ORDINANCES OF 2020 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

BE IT ORDAINED BY the Mayor and Council of the Borough of Montvale as follows:

SECTION 1. Each of the offices and positions of employment hereinafter named that are not established or created by virtue of any statutes or of any ordinance, resolution, or other lawful authority heretofore exercised by the Borough of Montvale, is hereby established, created, ratified and confirmed.

SECTION 2. The rate of compensation of the persons holding any of the hereinafter named offices and positions of employment whose compensation shall be on an annual basis and shall be payable semi-monthly is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment.

Title		2021 Salary Range	
1.	Borough Administrator (PT)	\$48,000 -	58,000
2.	Safety Coordinator	\$3,000 -	7,000
3.	Chief Financial Officer (PT)	\$20,000 -	30,000
4.	Municipal Clerk (PT)	\$70,000 -	102,000
5.	Deputy Municipal Clerk (PT)	\$45,000 -	55,000
6.	Floater/ Admin. Assistant to Administrator	\$40,000 -	55,000
7.	Tax Collector (PT)	\$53,000 -	70,000
8.	Tax Assessor	\$33,000 -	40,000
9.	Treasurer/Purchasing Agent	\$75,000 -	88,000
10.	Deputy Treasurer	\$51,000 -	63,000
11.	Accounts Payable Clerk	\$40,000 -	45,000

Title		2021 Salary Range	
12.	Secretary, Planning Board/Land Use Admin. (PT)	\$70,000	92,000
13.	Planning Board Secretary Special Meetings	\$45 -	\$60/hour
14.	Board Secretary, Clerical/Recording	\$130 -	\$160
15.	Office Manager (PT)	\$4,000 -	7,000
16.	Registrar Vital Statistics	\$800 -	1,200
17.	Deputy Registrar Vital Statistics	\$250 -	500
18.	Construction Code Official	\$35,000 -	50,000
19.	Building Sub Code Official	\$35,000 -	50,000
20.	Building Inspector	\$60,000 -	65,000
21.	Zoning Officer	\$5,000 -	11,000
22.	Property Maintenance Officer	\$3000 -	8,000
23.	Construction Dept. Control Person	\$40,000 -	65,000
24.	Plumbing Sub Code Official	\$ 22,000 -	30,000
25.	Plumbing Inspector	\$25 -	\$50/hour
26.	Fire Sub Code Official	\$14,000 -	18,000
27.	Fire Sub Code Official special inspections	\$25 -	\$50/hour
28.	Electrical Sub Code Official	\$35,000 -	46,000
29.	Electrical Sub Code Official special inspections	\$25 -	\$50/hour
30.	Fire Prevention Official	\$50,000 -	58,000
31.	Fire Inspector/ Senior/Deputy Fire Official	\$7,600 -	24,000
32.	Municipal Court Administrator	\$65,000 -	77,000
33.	Deputy Municipal Court Administrator	\$49,000 -	59,000
34.	Court Security	\$20 -	\$27/hour
35.	Violations Clerk	\$38,000 -	45,000
36.	Police Secretary	\$42,000 -	48,000
37.	Administrative Assistant for Police Chief	\$50,000 -	60,000
38.	Emergency Mgmt. Coordinator	\$5,000 -	7,000
39.	Deputy Emergency Mgmt. Coordinator	\$3,000 -	6,000
40.	Library Director	\$80,000	97,000
41.	Library – Library Adult Services	\$40,000 -	61,000
42.	Library (PT)	\$13 -	\$50/hour
43.	Library (PT) meetings	\$120 -	\$225/mtg
44.	Facilities Building & Property Inspector	\$20,000 -	30,000

45.	Director, Public Assistance	\$5,000	-	8,000
46.	Director of Recreation	\$50,000	-	\$62,000
47.	Van Drivers (PT)	\$20	-	\$25/hour
48.	Station Technicians (PT)	\$15	-	\$20/hour
49.	Booker Cable Access TV	2,000	-	5,000
50.	Archivist Records Manager/D.A.R.M.	\$25	-	\$28/hour
51.	Deputy Construction Code Official	\$75,000	-	85,000

SECTION 3. The rate of compensation of the persons holding any of the hereinafter named offices, whose compensation shall be on an annual basis and payable semi-monthly, is hereby fixed and determined as follows:

Title		2021 Salary Range		
A.	Municipal Judge	\$38,000	-	43,000
B.	Mayor	\$8,000	-	10,000
C.	Councilpersons (each)	\$6,000	-	8,000

SECTION 4: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department, whose compensation shall be on an annual basis, and payable semi-monthly, is hereby fixed and determined as follows:

Title		2021 Salary Range		
A.	Chief	\$225,000	-	232,600
B.	Captain	\$204,000	-	210,000
C.	Lieutenant (Base Wage)	\$159,152	-	166,132
D.	Sergeants (Base Wage)	\$148,100	-	151,804
E.	Detective – Additional per year	\$1,000	-	4,000
F.	Juvenile Officer – Addt'l per year	\$400	-	
G.	Asst. Juvenile Officer – Addt'l per year	\$350	-	
H.	Special Police Officer Class III (SLEO)	\$47,000	-	55,000
I.	Special/Auxiliary Police	\$22/hour	-	\$26/hour
J.	School Cross Guard/Police Matrons	\$22/hour	-	\$26/hour

SECTION 4A: The rate of compensation of persons holding any of the hereinafter named offices in the Police Department whose compensation shall be on an annual basis, and payable semi-monthly, is fixed and determined as follows:

Police Officers Schedule (Base Wage Each)		
0-6 months	\$44,236 -	45,125
6 months – 1 year	\$50,664 -	51,678
1 – 2 years	\$57,091 -	58,233
2 – 3 years	\$69,943 -	71,343
3 – 4 years	\$82,797 -	84,453
4 – 5 years	\$95,648 -	97,562
5 – 6 years	\$108,501 -	110,672
6 – 7 years	\$121,356 -	123,783
7 – 8 years	\$134,208 -	136,892

SECTION 4B: In addition to the compensation stated above, Full Time Employees in Section 4 and Section 4A, shall be paid an annual longevity increment pursuant to the following schedule:

Years of Service	Officers Hired BEFORE January 1, 2006	Officers Hired AFTER January 1, 2006
After five (5) years	1%	-
After seven (7) years	2%	-
After nine (9) years	3%	1%
After eleven (11) years	4%	2%
After thirteen (13) years	5%	3%
After fifteen (15) years	6%	4%
After seventeen (17) years	7%	5%
After nineteen (19) years	8%	6%
After twenty-one (21) years	-	7%
After twenty-two (22) years	-	8%
After twenty-four (24) years	9%	9%

SECTION 5. The Borough Treasurer shall present semi-monthly or as established by Resolution to the Governing Body for approval warrants drawn to the order of the Borough of Montvale Payroll Account and the Borough of Montvale Salary Account.

At the first meeting of the Governing Body in January of each year, there shall be approved accounts to be designated "The Borough of Montvale Payroll Account" and "The Borough of Montvale Salary Account" and from time to time the Borough Treasurer upon receipt of a warrant for the amount due each Payroll, shall deposit the same to the credit of these accounts, charging the appropriate budgetary accounts therewith. The Borough Treasurer shall thereafter draw checks on said accounts to the employees entitled to payment therefrom.

Any employee hired under the terms of a Special Library Grants; salary will be determined by the Authority making such grant.

The Mayor and Borough Council may by adoption of a resolution and by approved payroll advice, increase compensation (base wage adjustment or one-time merit/bonus increase) of any salaried employee in the above schedule, who has reached their maximum, up to 10% above the pay range maximum.

At each regular meeting of the Governing Body of the Borough of Montvale, the Treasurer shall submit for the approval or ratification as the case may be, the necessary payroll amounts due to the several officers and employees for compensation.

Such officers as may be determined by the Governing Body, as established by resolution, shall be authorized to sign warrants drawn in favor of the Payroll Account, upon due notice that the payrolls have been approved by the proper certifying authorities.

SECTION 6. This ordinance shall be operative as of January 1, 2020, and salaries paid shall be adjusted in accordance with the terms of this ordinance.

SECTION 7. All other ordinances and parts of ordinances inconsistent herewith are hereby appealed.

SECTION 8. This ordinance shall take effect immediately upon publication in the manner provided by Law.

MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN
Municipal Clerk

INTRODUCTION: 12-8-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 12-29-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

Michael Ghassali
Mayor



T (201) 391-5700
F (201) 391-9317

Borough of Montvale
12 Mercedes Drive, Montvale, NJ 07645
www.montvale.org

December 4, 2020

Borough of Montvale Council
Borough of Montvale
12 Mercedes Drive
Montvale, New Jersey 07645
Attn: Maureen Iarossi-Alwan, Borough Administrator/Clerk

**RE: Long Term Tax Exemption Application for
Montvale Family Apartments, LLC**

Dear Ms. Iarossi-Alwan:

In accordance with the requirements of the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the "Long Term Tax Exemption Law"), I have reviewed the application, proposed financial agreement and related documents submitted by Montvale Family Apartments, LLC (the "Applicant") for the proposed construction of a 25-unit affordable housing project in the Borough of Montvale, with the required infrastructure, parking and site improvements (the "Project") on property commonly known as 129 Summit Avenue and identified on the tax maps of the Borough as Block 1002, Lots 3 and 5.

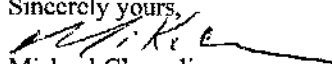
I believe that the Project will provide significant benefits to the Borough by satisfying the Borough's affordable housing obligations for this site and contributing to the region's need for low- and moderate-income housing. The Project will transform unused farmland and a vacant residential property into a high-quality residential development.

I believe this project is a desirable and beneficial improvement in the Borough and that the use of the Long Term Tax Exemption Law will assist the Borough in obtaining financing for this Project and in satisfying its Third Round affordable housing obligations. I would, however, make one recommendation for a change to the proposed Financial Agreement. Real property taxes for the Project are phased in throughout the term of the PILOT, at increasing intervals of 20%. I have identified below the Developer's proposed phase-in schedule, as well as my own recommendation for this agreement:

Proposed by Developer	
Years	% of Otherwise Applicable Taxes
1-15	0%
16-21	20%
22-27	40%
28-29	60%
30	80%

Mayor's Recommendation	
Years	% of Otherwise Applicable Taxes
1-15	0%
16-19	20%
20-24	40%
25-28	60%
29-30	80%

With the above revision to the Financial Agreement, I recommend that the Long Term Tax Exemption applied for by the Applicant be favorably considered by the Borough Council.

Sincerely yours,

Michael Ghassali
Mayor, Borough of Montvale

cc: Joseph W. Voytus, Esq., Borough Attorney

BOROUGH OF MONTVALE

ORDINANCE NO. 2020-1493

NOTICE IS HEREBY GIVEN that the following Ordinance was introduced and passed on the first reading at the regular meeting of the Mayor and Council on the 8th day of December 2020, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 29th day of December 2020 at 7:30 pm or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Maureen Iarossi Alwan, Municipal Clerk
Borough of Montvale

ORDINANCE NO. 2020-1493

AN ORDINANCE APPROVING THE APPLICATION AND FINANCIAL AGREEMENT AUTHORIZING A TAX EXEMPTION AND PAYMENT IN LIEU OF TAXES PROGRAM FOR MONTVALE FAMILY APARTMENTS URBAN RENEWAL, LLC FOR THE CONSTRUCTION OF A 100% AFFORDABLE HOUSING DEVELOPMENT ON BLOCK 1002, LOTS 3 AND 5

WHEREAS, on March 10, 2015, the Supreme Court of the State of New Jersey issued a decision In The Matter Of The Adoption Of N.J.A.C. 5:96 And 5:97 By The New Jersey Council On Affordable Housing, 221 N.J. 1 (2015), in which it found that because COAH failed to adopt the new Round 3 regulations, the Court directed trial courts to assume COAH's functions and created transitional procedures for court review and approval of municipal Housing Element and Fair Share Plans pursuant to COAH's rules and regulations as described in N.J.A.C. 5:93-5.8; and

WHEREAS, the Borough of Montvale ("Borough") is the owner of that certain land and premises located on Summit Avenue in Montvale, Bergen County New Jersey consisting of approximately 3.3 acres and identified on the municipal tax map as Lots 3 and 5, Block 1002 on the official Tax Map of the Borough of Montvale, County of Bergen, State of New Jersey (the "Premises"); and

WHEREAS, the Premises is intended to be utilized to address, in part, the Borough's obligation to provide its fair share of the region's affordable housing need in accordance with what is commonly referred to as the "Mount Laurel Doctrine"; and

WHEREAS, the Premises is identified in the Settlement Agreement by and between the Borough and Fair Share Housing Center dated November 14, 2017 and amended by First Amendment to the Settlement Agreement dated November 28, 2017 (collectively the "Settlement Agreement") as a municipally-sponsored site for a 100% affordable rental community; and

WHEREAS, after a "fairness hearing" on January 25, 2018, the Superior Court of New Jersey executed an Order Approving Settlement Agreement between the Borough of Montvale and Fair Share Housing Center dated February 12, 2018, approving the Settlement Agreement; and

WHEREAS, the Premises is also identified in the Borough's Fair Share Plan as the site for the development of a 100% affordable rental community; and

WHEREAS, The Walters Group ("Developer"), with offices at 21 East Euclid Avenue, Suite 200, Haddonfield, New Jersey 08033, proposes to construct a twenty-five (25) unit residential affordable family rental apartment housing project ("Project") pursuant to the provisions of the State of New Jersey Department of Community Affairs Affordable Housing Trust Fund Program in accordance with the Program Guidelines and Procedures, the Neighborhood Preservation Balanced Housing Rules, N.J.A.C. 5:43-1.1 et seq., and the mortgage and other financing documents executed between the Sponsor and the DCA, or any other DCA programs applicable, with funding in an amount not to exceed the maximum allowed in accordance with N.J.A.C. 5:43-1.1 et seq., within the Borough of Montvale on a sufficient portion of the Premises; and

WHEREAS, the Developer is an experienced developer, operator and administrator of affordable rental housing with on-site supportive social services and has expressed interest in constructing, owning, operating and maintaining affordable income-restricted family rental housing with supportive services in the Borough to assist the Borough in addressing its Third Round affordable housing obligation more specifically described in the Settlement Agreement; and

WHEREAS, it is in the best interests of the Borough that the Premises be developed for the construction of a 25-unit 100% income-restricted affordable rental family housing community by the Developer; and

WHEREAS, the Borough and the Developer have entered into a Development and Property Transfer Agreement concerning the Premises and the Project; and

WHEREAS, Developer has submitted an application to the New Jersey Department of Community Affairs, New Jersey Affordable Housing Trust Fund Program; and

WHEREAS, pursuant to and in accordance with the provisions of the Long Term Tax Exemption Law, as amended and supplemented, N.J.S.A. 40A:20-1, et seq., as amended and supplemented (the "LTTE"), the Borough is authorized to provide for and accept, in lieu of real property taxes, an annual service charge paid by the Developer to the Borough in accordance with certain applicable provisions of the LTTE; and

WHEREAS, the adoption of this Ordinance granting a tax exemption for the Project improvements and adopting a Payment In Lieu of Taxes ("PILOT") program for the Project is demonstrative of the Borough's consistent, continuing and strong support for the project; and

WHEREAS, the Developer has submitted an application to the Mayor of the Borough of Montvale for the approval of a PILOT program for the Project (as may be amended, the "Application"), all in accordance with N.J.S.A. 40A:20-8, which application is on file with the Borough Clerk and may be reviewed upon request; and

WHEREAS, the Developer also submitted to the Mayor a form of financial agreement (the "Financial Agreement"), a copy of which is attached to the Application, which sets forth the rights, responsibilities and obligations of the Developer and the Borough; and

WHEREAS, said Financial Agreement provides for, among other things, the exemption described above and the payment of an annual service charge in lieu of taxes; and

WHEREAS, the Mayor has submitted the Application and Financial Agreement to the Governing Body with his recommendation for approval, a copy of which recommendation is on file with the Borough Clerk; and

WHEREAS, the Governing Body has reviewed the terms of the Application and the Financial Agreement and hereby finds that the relevant benefits of the Project to the Borough and to the region's low- and moderate-income households outweigh the loss, if any, of property tax revenue in granting the long-term tax exemption for the Project; and

WHEREAS, the Governing Body has determined that, if funding is provided by the DCA through the Affordable Housing Trust Fund Program, the Project will provide 25 units of affordable housing which are necessary to help satisfy the Borough's affordable housing obligations for the Third Round under the Settlement Agreement with Fair Share Housing Center and as approved by the Superior Court; and

WHEREAS, the Governing Body has further determined that the Project constitutes the acquisition, management and operation of a low- and moderate-income housing project under P.L. 1991, c. 431 (C. 40A:20-1 et seq.), as authorized by the Long Term Tax Exemption Law; and

WHEREAS, the Governing Body has further determined that the assistance provided to the Project pursuant to the Financial Agreement will be a significant inducement for the Developer to proceed with the Project, and that based on information and representations made by the Developer and as set forth in the Application, the Project would not be feasible without such assistance because funding through the DCA Affordable Housing Trust Fund Program would likely not be available.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Montvale, as follows:

1. The aforementioned recitals are incorporated as if set forth herein at length.
2. The Application filed by the Initial Entity, a copy of which is on file with the Borough Clerk and which has been recommended for approval by the Mayor, is hereby approved.
3. The Mayor, Borough Clerk and all other appropriate officials are hereby directed, authorized and empowered to execute the Financial Agreement substantially in the form attached to the Application, with the changes recommended by the Mayor, subject to approval as to form by the Borough Attorney. The Mayor is further directed, authorized and empowered to undertake all actions reasonably necessary to effectuate the provisions and purposes of this Resolution and the Financial Agreement.
4. The executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Borough Clerk. Further, the Borough Clerk shall file certified copies of this ordinance and the Financial Agreement with the Tax Assessor of the Borough and the Director of the Division of Local Government Services with the Department of Community Affairs, in accordance with the Long Term Tax Exemption Law. Furthermore, within 10 calendar days of the effective date of this Ordinance and the execution of the Financial Agreement, the Borough Clerk shall transmit a certified copy of this Ordinance and the Financial Agreement to the chief financial officer of Bergen County and to the Bergen County Counsel for informational purposes.

5. At the Borough's discretion; this Ordinance shall sunset upon the occurrence of any of the following events, upon which this Ordinance shall be deemed null and void and the Financial Agreement be deemed void and of no further effect:

- a. The Developer fails to obtain the necessary funding through the DCA Affordable Housing Trust Fund Program or other funding sources in accordance with the requirements of the Development and Property Transfer Agreement; or
- b. The Developer defaults upon any provision of the Development and Property Transfer Agreement and such default is not cured in accordance therewith.

6. All Ordinance or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

7. If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of this Ordinance shall remain valid and effective.

8. This Ordinance shall take effect immediately after adoption and publication as required by law.

MICHAEL GHASSALI, Mayor

ATTEST:

MAUREEN IAROSSO-ALWAN
Municipal Clerk

INTRODUCTION: 12-8-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

ADOPTED: 12-29-2020

Councilmember	Yes	No
Arendacs		
Curry		
Koelling		
Lane		
Roche		
Russo-Vogelsang		

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 192-2020**

RE: COVID -19 SPECIAL EMERGENCY/Certification of Chief Financial Officer and Approval of Governing Body

WHEREAS, The Borough of Montvale has experienced COVID 19 related revenue loss during the budget year 2020, and

WHEREAS, P.L. 2020, c. 74 provides for the funding of these revenue losses through a COVID Special Emergency, and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A: 4-53, as amended by P.L.2020, c. 74, the Borough must, prior to December 1, make application to the Director of the Division of Local Government Services to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of budget year 2020, and

WHEREAS, the Borough has requested and received an extension to December 9, 2020 to make application to the Director of the Division of Local Government Services; and

WHEREAS, the Chief Financial Officer has determined that there is an operational gap attributable to COVID -19 affected revenue loss which needs to be addressed prior to year-end;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Montvale (by not less than a majority vote of the full governing body members affirmatively concurring), in accordance with the provisions of N.J.S.A 40A:4-53, as amended by P.L. 2020, c. 74, as follows:

1. The Chief Financial Officer is directed to submit an application to the Division Director on the prescribed form and shall certify that the deficits in revenue are directly attributable to COVID-19.
2. The Chief Financial Officer has submitted said certification to the governing body for approval (attached to this resolution).
3. The Borough Council by approval of this resolution approves the certification made by the Chief Financial Officer related to COVID-19 Special Emergency.
4. The Borough Council directs the Chief Financial Officer, the Auditor and Bond Counsel to prepare the Ordinance and Resolution for Special Emergency COVID-19 related revenue deficit pursuant to statute and regulations resulting from P.L.2020, c. 74.
5. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

Maureen Iarossi-Alwan
Municipal Clerk

APPROVED:

Michael Ghassali
Mayor

[illegible][illegible]

Anticipated and realized amounts for the current, and the three previous budgets years.

[illegible]

RECAP:

Revenue Losses:

Fees and Permits	\$	103,000
Fines and Costs - Municipal Court		115,000
Hotel/Motel Tax		<u>102,000</u>

Special Emergency - 2020 Anticipated Deficit in Operations	\$	<u>320,000</u>
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Chief Financial Officer's Certification

I hereby certify that the information provided in this request for a special emergency is a true account of revenue losses and expenditures made, that said revenues and expenses are eligible costs, and that no portion of these revenues or expenses have been reimbursed by the Federal or State governments or from another source; and
That all future reimbursements related to this request from Federal, State or from another will be used to fund the repayment of this Special Emergency.

Name & Title	Kenneth Sesholtz	Chief Financial Officer	Date 12/8/2020
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**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 193-2020**

RE:COVID -19 SPECIAL EMERGENCY SPECIAL EMERGENCY RESOLUTION – N.J.S.A 40A:4-53

WHEREAS, it has been found necessary to adopt a Special Emergency Appropriation to meet certain Extraordinary COVID-19 affected revenue losses incurred, or to be incurred, related to the COVID pandemic, and

WHEREAS, N.J.S.A. 40A:4-53 allows a municipality to authorize special emergency appropriations for COVID-19 related revenue loss incurred during the COVID-19 related public health emergency, and provides that it shall be lawful to adopt such special emergency, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation as prescribed by the act and in compliance with the Division of Local Government Services regulations set forth as part of the COVID-19 Operating Deficits: Implementation of P.L. 2020, c.74.

NOW, THEREFORE BE IT RESOLVED, (by not less 2/3 vote of the full governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A 40A:4-55:

1. The Chief Financial Officer has been directed by resolution adopted on December 8, 2020 to make a written application and certify to the Division Director, on the prescribed form, that the deficits in revenue are directly attributable to COVID-19, and said certification was approved by the governing body and submitted to the Director of the Division of Local Government Services.
2. A Special Emergency Deferred Charge is hereby established for COVID-19 affected revenue losses in the total amounts of \$320,000 in the Current Fund.
3. That the total emergency appropriation shall be provided for in the budgets of succeeding years beginning in 2022 by the inclusion of not less than \$64,000 in the Current Fund.
5. That special emergency notes, not in excess of the amount authorized pursuant to law, may be issued.
6. That such notes when issued shall be executed by Borough of Montvale Chief Financial Officer, Mayor and Borough Clerk. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time.
7. That said Special Emergency Notes may be issued to address the cash flow needs related to the deferred charge in compliance with the provisions of P.L. 2020, c.74.
8. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 194-2020**

RE: CANCELLATION OF IMPROVEMENT AUTHORIZATIONS

WHEREAS, there exists unexpended improvement authorization balances on the balance sheet of the General Capital Fund; and

WHEREAS, the unexpended improvement authorization balances remain dedicated to projects now completed or the balances are determined to be in excess of the amounts necessary for the completion of the projects; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to deferred charges to future taxation unfunded, reserve for payment of debt or fund balance and the unused debt authorizations may be cancelled;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following unexpended improvement authorization balances be cancelled:

GENERAL CAPITAL FUND:

<u>ORDINANCE</u>	<u>DESCRIPTION</u>	<u>FUNDED</u>	<u>UNFUNDED</u>
2007-1269	2007 Road Improvement Program	\$32,964.53	
2016-1413	Various Capital Improvements	58,340.83	
2020-1482	Various Capital Improvements		\$3,585.47
		<hr/>	<hr/>
		\$91,305.36	\$3,585.47
		<hr/>	<hr/>

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

Maureen Jarossi-Alwan
Municipal Clerk

APPROVED:

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 195-2020**

RE: CANCELLATION OF 2019 CURRENT FUND APPROPRIATION RESERVE BALANCE

WHEREAS, there exists an unexpended 2019 Current Fund budget appropriation reserve balance; and

WHEREAS, it is necessary to formally cancel said balance so that the unexpended balance may be credited to surplus;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following unexpended 2019 Current Fund budget appropriation reserve balance be cancelled:

GENERAL APPROPRIATIONS

Operations - Excluded from "CAPS"

Public and Private Programs Offset by Revenues

Municipal Alliance Program - County Funds \$9,876.00

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Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 196-2020**

RE: CANCELLATION OF PRIOR YEAR OUTSTANDING CHECKS

WHEREAS, there exists outstanding checks from the prior year drawn against the General Checking Account and Payroll Account, and

WHEREAS, it has been determined that the outstanding checks from the prior year be cancelled to Current Fund surplus;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, that the following outstanding checks from the prior year be cancelled:

GENERAL CHECKING ACCOUNT

<u>DATE</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>ACCCOUNT</u>
10/09/18	15233	\$65.00	Current	Surplus
12/11/18	15487	545.00	Current	Surplus
03/12/19	15869	45.00	Current	Surplus
05/28/19	16205	180.00	Current	Surplus
10/29/19	16860	<u>188.30</u>	Current	Surplus
		\$1,023.30		
		=====		

PAYROLL ACCOUNT

<u>DATE</u>	<u>CHECK NUMBER</u>	<u>AMOUNT</u>	<u>FUND</u>	<u>ACCCOUNT</u>
11/30/18	81086	\$182.95	Current	Surplus
11/30/18	81106	90.14	Current	Surplus
11/30/18	81108	336.00	Current	Surplus
11/30/19	81521	181.31	Current	Surplus
12/31/19	81556	<u>.10</u>	Current	Surplus
		\$790.50		
		=====		

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 197-2020**

RE: CANCELLATION OF RECEIVABLE BALANCE

WHEREAS, there exists a receivable balance on the Current Fund balance sheet of the Borough of Montvale; and

WHEREAS, the funds creating the receivable balance have been investigated, and it has been determined that the receivable balance should be cancelled; and

WHEREAS, it is necessary to formally cancel said balance so that the uncollected receivable balance on the Current Fund balance sheet may be charged to fund balance;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale, that the following receivable balance be cancelled:

Current Fund

Grants Receivable:

Municipal Alliance Program - County Funds

<\$6,372.22>

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 198-2020**

RE: A Resolution Approving the Borough of Montvale "Remote Work" Program Policy

Whereas, as a result of the ongoing COVID-19 pandemic, it may be necessary or advisable to authorize certain employees to work remotely, rather than at the Borough offices; and

Whereas, the Borough of Montvale is desirous of adopting a "Remote Work" policy to formalize the procedures that will be applicable to Borough Employees related to working remotely and requests related to same; and

Whereas, the Borough Administrator and Office Manager, in consultation with the Borough Attorney, have developed the Borough of Montvale "Remote Work" Program Policy, which is incorporated herein by reference.

Now, Therefore, Be It Resolved that the Governing Body of the Borough of Montvale does hereby endorse and approve the Borough of Montvale "Remote Work" Program Policy.

Be It Further Resolved that this Resolution shall take effect immediately.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

BOROUGH OF MONTVALE “REMOTE WORK” PROGRAM POLICY

I. Introduction

The purpose of this policy is to set forth the philosophy and administrative guidelines for the Borough of Montvale (“Borough”) Remote Work Program. As an integral element of the Borough’s efforts to mitigate the current COVID-19 pandemic and to accommodate employees due to COVID-19 and other factors, the Borough is implementing this Remote Work Policy and Program. The Remote Work Program will allow certain employees, subject to approval by the Borough Administrator and/or Office Manager, to work remotely, while ensuring the continuity of the Borough’s operations. This policy does not supersede the Borough’s rules, regulations or other policies applicable to the workplace, but rather is designed to facilitate the performance of Borough business remotely, where appropriate. ***Remote Work pursuant to this Policy is not an entitlement or Borough-wide benefit, and it does not change the terms and conditions of employment.***

II. Duration

This Policy and Program are limited to temporary remote work during the COVID-19 pandemic because essential job functions cannot be performed remotely on a permanent basis. The scope and duration of this Policy is subject to change, without prior notice, in response to the fluid nature of the COVID-19 pandemic and other factors. Employees granted permission to work remotely pursuant to this Policy shall still be required to report to their Borough office as necessary to perform critical job functions and as otherwise required by the Borough Administrator and/or Office Manager.

III. Definitions

“Remote Work” is an alternative workplace arrangement that provides employees the opportunity to work at their own home or other appropriate location rather than their regularly assigned workplace.

“Operational need” is a consideration of the necessary staffing requirements, on a Department-specific basis, to maintain normal Borough business operations during business hours such that there is no disruption in the workplace or level of productivity.

“Alternative workplace” is an employee’s primary residence which is on file with the Borough, or other appropriate location with the express approval of the Borough Administrator and/or Office Manager.

“Remote Work Agreement” is a written agreement between the Borough and the employee that acknowledges the employee has read, understood, and agreed to abide by this Policy.

“Work Schedule” is the employee’s hours of work in their regular or Remote Work locations.

IV. General Provisions

This Policy and its parameters are at the sole discretion of the Borough. Additionally, the decision to approve an individual’s Remote Work request is at the sole discretion of the Borough. Remote Work does not change the nature of the work an employee is expected to perform or the hours in which an employee is expected to be working. In terms of supervision, clear expectations and measurable tasks are essential components in considering whether a Remote Work Plan is an option or should be continued. Remote Work employees must be supervised through the development of a system to distribute appropriate work with measurable outputs that can ensure appropriate levels of employee accountability.

In the event an operational need arises, a Remote Work employee may be required to report back to his or her Borough work location. Participation in a Remote Work Plan is based on the employee’s job responsibilities as determined by the Borough Administrator and/or Office Manager, with the advice and guidance of the employee’s supervisor. If an employee’s productivity decreases or other performance/conduct issues arise, the employee’s supervisor will treat the employee no differently than, and implement the same disciplinary policies as, an employee working in his or her regularly-assigned Borough location.

Employees working under a Remote Work Plan are considered to be in an official duty status during the employee’s designated work schedule. Employees must ensure they have the appropriate work environment at their place of residence or other approved Remote Work location, including, but not limited to, internet connectivity, necessary technology, resource access, and security authority to conduct their job duties. Remote Work employees are prohibited from conducting personal or other business during their normal work schedule, with the exception of meal or other breaks, as applicable. Nonetheless, if the Remote Work employee is required to care for a dependent or adult during his or her regular work hours, then the employee is required make up that time during same work day.

This Policy and any Remote Work Plan may be discontinued at any time if its continuation would not be productive, efficient, or otherwise in the best interest of the Borough and public. This Policy does not apply to requests for reasonable accommodations based on medical conditions.

V. Policy Administration

The Borough Administrator and/or Office Manager is responsible for the administration of this policy. Questions regarding this Policy should first be directed to the Borough Office Manager and, subsequently, to the Borough Administrator.

VI. Conditions

Once an employee has been approved for any Remote Work arrangement, the following conditions shall apply:

1. The Borough reserves the right to cancel a Remote Work arrangement at any time.
2. Remote Work employees must enter into a written agreement with the Borough, which is attached hereto.
3. Remote Work employees must follow all Borough policies and procedures while working remotely.
4. Remote Work employees are subject to all attendance policies and practices of the Borough, including call-out procedures and timesheet recordkeeping requirements. In addition, Remote Work employees shall be accountable for verification of Remote Work dates, times and tasks.
5. Remote Work employees must be readily accessible by telephone and their Borough e-mail during their scheduled work hours. Employees must provide the Borough Administrator, Office Manager, and their direct supervisor(s), their current home phone number and/or cell phone number, whichever will be routinely available for incoming calls during the workday. All calls to Remote Work employees should be returned within 2 hours, not including meal or other breaks, absent extenuating circumstances.
6. Remote Work employees are required to track their start and end times for the beginning/end of their work days, breaks taken throughout the day (with the exception of bathroom breaks), and any interruptions in their Remote Work day.
7. Remote Work employees will protect all government records and data against unauthorized disclosure, access, destruction, etc. Files and other information that are subject to confidentiality and attorney client privilege, must be secured from unauthorized access while at the Remote Work location.
8. Employees are required to maintain a safe Remote Work environment. Failure to maintain safe working conditions may result in termination of Remote Work privileges.
9. Department Heads and/or their designees shall supervise the work product produced by Remote Work employees on remote days to ensure appropriate levels of employee accountability.
10. Remote Work employees will be subject to periodic performance evaluations from their direct supervisors. Such evaluations shall include will not be limited to, daily interaction by phone, voicemail, video conferencing, and/or email.

11. Remote Work is not a replacement for dependent and/or adult care. Employees who need to care for dependents or adults are still required to work their regular full-time, part-time or contract-specific daily hours. Likewise, Remote Work is not intended to be used in place of vacation, sick, family, medical, or other types of leave. The use of paid time off, family, or medical leave must still be requested in the manner proscribed by the Borough's policies and/or the employee's labor agreement.
12. Remote Work employees will not be excused from working because workers at their regular work location are dismissed due to an emergency. For example, if a snow emergency is declared on the day an employee is scheduled to work remotely, the employee is not excused from work and must work as scheduled at home on the approved Remote Work day. Employees who have the capability to work remotely and who are scheduled to go to their regular work location but are unable due to a state of emergency or office closure will be expected to work remotely to the extent possible. Any typical limitations on Remote Work regarding dependent care will be suspended under these circumstances. Employees who have the capability to work remotely but do not do so during a weather emergency or office closure, without pre-approval from the Borough, may be required to use their accrued paid time off.
13. Hours in excess of an employee's regular or Remote Work hours (i.e., overtime) are not permitted unless the employee's supervisor has given written permission in advance of the overtime.
14. The Borough is not responsible for the provision of any necessary Remote Work equipment (e.g., computer, scanner, mobile phone, etc.), operating costs, home maintenance, or any incidental costs (e.g., utilities, internet service, etc.) associated with the employee's Remote Work arrangement. Likewise, the Borough will not be liable for any damages to the employee's property that results from participating in Remote Work.
15. Workers' compensation does not apply to injuries to any third parties or members of the employee's family at the alternative workplace. In the event of a job-related injury, employees are required to immediately report the incident to their supervisor and the Office Manager.
16. The Borough makes no representation on any income tax implications related to Remote Work and the employee's alternative workplace. Employees are encouraged to consult a personal tax advisor with regard to their individual situations.
17. Remote Work employees will comply with all monitoring, security measures and disclosure provisions, including password protection, as required by the Borough in its sole and absolute discretion. These include, but are not limited to the following:
 - A. **Remote Work Employee Monitoring Software:** The Borough may install software that monitors the work habits and activities of Remote Work employees on the Remote Work employee's Borough-owned computer equipment. The tasks performed by the software shall respect the privacy of employees to the greatest extent possible and shall include, but not be limited to, the following:

- i. Monitoring the time of use and interaction with various work-related computer software, including Microsoft Word, Excel, Outlook, web browsers, etc. The software will **not** record the content of any keys typed by a Remote Work employee.
 - ii. Recording any of the domain names or IP addresses of any webpages or servers on the Internet that are accessed by a Remote Work employee.
 - iii. The software will **not** record, capture or log the output of any of the webpages or servers accessed by the Remote Work employee.
 - iv. The software will only track activity during the days and times that an employee is scheduled to work from home. It shall be the responsibility of the Remote Work employees to inform their supervisor of any deviations from their approved work from home schedule in advance.
- B. **Security:** The Remote Work employee shall store any personal equipment used to access the Borough's computers or networked infrastructure in a reasonably secure environment. Any notifications from a virus scanner, or other similar software, of a compromise of a Remote Work's employee's personal computer shall be immediately reported to the Borough.
- C. **Use of the Borough's Virtual Private Network (VPN) and Remote Desktop Client:** The preferred method for a Remote Work Employee to conduct their daily work is by connecting to the Borough's VPN and using a Remote Desktop Client to access the Remote Work employee's Borough desktop computer. It is permissible to use any application that requires access to a microphone or camera (Microsoft Teams, Zoom, etc.) directly from a Remote Work employee's computer, due to the fact that the camera and microphone cannot easily be used with a Remote Desktop Client. If a Remote Work employee does not want to use the Borough VPN and Remote Desktop Client, the Remote Work employee may seek approval from their supervisor to have the monitoring software installed on their personal computer and to use the personal computer for work without using the VPN or Remote Desktop Client.
- D. **Documents:** Any documents created on a Remote Work employee's computer for the purpose of Borough business shall be uploaded to the Remote Work employee's "Microsoft OneDrive" folder.
- E. **Installation and Getting Started:** Upon execution of the Remote Work Agreement, Employees must contact the Borough's IT consultant, Dino George, at (201) 400-5681 for further instructions and any necessary technical assistance.

REMOTE WORK AGREEMENT

I, _____, have read the attached Remote Work Policy and understand that I am expected to comply with it.

I understand that any Remote Work arrangement provided to me by the Borough is subject to the Borough's sole and absolute discretion and may be revoked at any time for any reason.

I understand that software that will monitor and log my various work habits throughout the days I work from home may be installed on the Borough equipment I use during the day. I further understand that I have the option to request that such software be installed on my personally-owned equipment if using a VPN and remote desktop connection for work-related duties would not be beneficial.

I understand that I am subject to all Borough policies and procedures while engaged in Remote Work and may be disciplined in a manner consistent with those existing policies and procedures.

I understand that I am expected to accomplish my regular work assignments and any other tasks assigned by my supervisor.

I understand that I am responsible for working my regular number of daily and weekly work hours, consistent with my regular work schedule.

I understand that the arrangements provided pursuant to the Remote Work Policy is not an entitlement or Borough-wide benefit and it does not change the terms and conditions of my employment.

I understand that neither this agreement nor any other creates any employment contract between the Borough and me.

Employee Name [Print]

Employee Signature

Date

Department Head [Print]

Department Director Signature

Date

Administrator/Office Manager [Print]

Administrator/Office Manager Signature

Date

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 199-2020**

RE: Cancellation of Tax and Excess Sewer Overpayments or Delinquent Amounts Less than \$10.00

WHEREAS, N.J.S.A. 40A:5-17 allows for the cancellation of property tax and excess sewer overpayments or delinquent amounts in the amount of less than \$10.00; and

WHEREAS, the Mayor and Council may authorize the Tax Collector to process, without further action on their part, any cancellation of property tax and excess sewer overpayments or delinquencies of less than \$10.00

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, hereby authorize the Tax Collector to cancel said property tax and excess sewer amounts as deemed necessary.

BE IT FURTHER RESOLVED, that a certified copy of the resolution be forwarded to the Tax Collector and Chief Finance Officer.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 200-2020**

RE: Award Contract/East Coast Emergency Lighting/Upfitting To Police Vehicles/ State Contract #T0106 17 – Fleet-00-743

WHEREAS, the Mayor and Council approved the purchase of 2 new police vehicles for the Borough of Montvale's Police Department; and

WHEREAS, the Borough of Montvale deemed it necessary to upfit these vehicles for the purposes intended; and

WHEREAS, East Coast Emergency Lighting, Inc. 200 Mecco Drive, Millstone Township, NJ 08535 is the State Contract vendor selected to do said upfitting to these vehicles; and

NOW THEREFORE, BE IT FURTHER RESOLVED, the Mayor and Council authorize the Borough to award the State Contract State Contract #T0106 17 – Fleet-00-743 to East Coast Emergency for a not to exceed amount of \$13,346.91 each for a total amount of \$26,693.82 50,000.00 for the upfitting of these vehicles; and

NOW, THEREFORE, BE IT RESOLVED, the Chief Financial Officer has certified that funds are available and certification is attached to the original of this resolution.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

Account # 0-01-25-260-051
Amount \$26,693.82

East Coast Emergency Lighting, Inc

200 Mecco Drive
Millstone Twp, NJ 08535

732-940-2211

Quote

Date	Estimate #
12/1/2020	25852

Name / Address
Borough of Montvale PD 12 Mercedes Drive Montvale, NJ 07645

Ship To
Borough of Montvale 12 Mercedes Drive Montvale, NJ 07645

		P.O. No.	FOB	Rep	Created By:
				DB	JJ
Item	Description	Qty	Cost	Total	
GVM5611D-H	Dodge Charger 2011-2018, Self-Supporting Dual Weapon	1	436.00	436.00	
G4904U	Tri-Lock Gunrack w/Handcuff Key				
	Gun Rack "U" Lock Only, Universal Handcuff Style Lock	2	204.80	409.60	
Installation	Install of the above Progard Equipment as per contract#	7	75.00	525.00	
	17-FLEET-00768				
	NJ Havis Contract# 17-FLEET-00719				
C-VS-2500-CHGR-1	2011-2016 Dodge Charger (Police Package) Vehicle Specific	1	256.62	256.62	
	25" Console				
C-ARM-103	Armrest For Top Mount, Console, Large Pad	1	80.57	80.57	
C-MD-202	Tilt Swivel Motion Device	1	51.87	51.87	
C-SM-SA-1	Mounting Bracket Complete W/ Swing Arm Adaptor For	1	70.98	70.98	
	Angled Console				
C-MCB	Microphone Clip Bracket	2	9.56	19.12	
C-TFD-CHGR-2	Premium fold down trunk tray fits 2011-2019 Dodge Charger	1	351.49	351.49	
MMSU-1	Magnetic Mic Single Unit	2	35.00	70.00	
Installation	Install of the above Havis Equipment as per contract#	5	90.00	450.00	
	17-FLEET-00719				
MISC	Computer Antenna	3	150.00	450.00	
Installation	Install of (1) stand alone computer	2	75.00	150.00	
Installation	Install of (1) radio & antenna kit	3	75.00	225.00	
Installation	Install of (1) scanner	2	75.00	150.00	
Installation	Install of (1) camera	6	75.00	450.00	
Installation	Install of (1) radar	3	75.00	225.00	
Attn: Doug McDowell 201-694-6940 dmodowell@montvaleboro.org					
****denotes a special order item which cannot be cancelled, exchanged, nor returned.			Total \$13,346.91		

X2
26,643.82

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 201-2020**

RE: A Resolution Authorizing the Borough of Montvale Police Department to Apply, Enroll and Participate in the Department of Defense Law Enforcement Support Office ("LESO") 1033 Program to Enable the Montvale Police Department to Request and Acquire Excess Department of Defense Equipment/Year 2021

WHEREAS, the Department of Defense Law Enforcement Support Office ("LESO") facilitates a law enforcement support program, which originated from the National Defense Authorization Act of Fiscal Year 1997; and

WHEREAS, Federal law permits the Secretary of the United States Department of Defense to transfer to municipal, federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

WHEREAS, informally known as the "1033 Program", this initiative allows local law enforcement agencies to obtain, at little or no cost, surplus federal property, including vehicles, small arms, rescue equipment, medical supplies, and even office supplies originally intended for use by the United States Armed Forces; and

WHEREAS, although equipment is provided through the 1033 Program at no cost to municipal law enforcement agencies, these entities are responsible for costs associated with the maintenance, fueling and upkeep of this equipment, and for specialized training for its operation; and

WHEREAS, on March 16, 2015, Governor Christie signed Senate Bill No. 2364 (P.L. 2015, c.23), which now establishes, in the absence of federal requirements, a system of local oversight over local law enforcement agencies that participate in and acquire equipment through the 1033 Program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2a, municipal governing bodies must now authorize participation in the 1033 Program by a "resolution adopted by a majority of the full membership of the governing body of a local unit prior to transmittal of any such application to the State Coordinator" of the 1033 Program; and

WHEREAS, pursuant to N.J.S.A. 40A:5-30.2b, the acquisition of any property by a local law enforcement agency shall be approved by a "resolution adopted by a majority of the full membership of the governing body"; and

WHEREAS, the Chief of Police of the Montvale Police Department has requested that the Governing Body authorize the Police Department to participate in the 1033 Program; and

WHEREAS, the Governing Body of the Borough of Montvale has determined that it is in the best interests of the residents of the Borough of Montvale to authorize the Police Department to apply, enroll and participate in the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, County of Bergen, State of New Jersey, as follows:

1. The Chief of Police or his designee, on behalf of the Montvale Police Department, is hereby authorized and empowered to apply, enroll and participate in the Department of Defense Law Enforcement Support Office 1033 Program, with the authorization to participate terminating on December 31 of the current calendar year.
2. The Chief of Police shall be responsible for ensuring compliance with the requirements for participation as outlined in 10 U.S.C. 2576a for all controlled equipment.
3. The Montvale Police Department is hereby authorized to acquire items of non-controlled property designated as DEMIL A, which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Montvale Police Department, without restriction.

4. The Montvale Police Department is further authorized to acquire the identified "DEMIL B through Q" property on Exhibit A, attached hereto and expressly made a part hereof, if it shall become available in the period of time for which this resolution authorizes.
5. The Police Chief shall develop and implement a full training plan and policy for the maintenance and use of any acquired property; and
6. Pursuant to N.J.S.A. 40A:5-30.2b, the Chief of Police, or his designee, shall maintain an inventory of surplus property obtained under the 1033 Program, and shall provide a quarterly accounting of all property obtained through the 1033 Program, which shall be available to the public upon request; and
7. This resolution shall take effect immediately and shall be valid to authorize requests to acquire the above-identified DEMIL A property and DEMIL B through Q property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with Program participation and all property request authorization terminating on December 31 of the current calendar year.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 202-2020**

**RE: Award Lease/Purchase Police Vehicle / Hertrich Fleet Services / Ford Motor Credit Municipal Finance
State Contract # A88729 (T2776)**

WHEREAS, the Mayor and Council approved 2021 Dodge Charger 4 Door Sedan Police vehicle to finance; and

WHEREAS, the Borough of Montvale hereby authorized the execution of a Master three year lease agreement with Hertrich Fleet Services, Ford Motor Credit Company in the amount of \$26,648.10, for a term of 36 months; and

WHEREAS, payments shall be made to Ford Motor Credit Company, Municipal Finance, P.O. Box 1739 MD 7500, Dearborn, MI 48121-1739; and

NOW, THEREFORE, BE IT RESOLVED, the Chief Financial Officer has certified that funds are available and certification is attached to the original of this resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED, the Mayor and Council authorize the Borough Administrator to execute this lease agreement with the above- named vendor.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

APPROVED:

Maureen Iarossi-Alwan
Municipal Clerk

Michael Ghassali
Mayor

Amount \$ 1st year 19,668.38 3 years
Total \$27,553.80 x 2 = \$59,005.14
Account # 0-01-25-260-051

HERTRICH FLEET SERVICES, INC

1427 Bay Road

Milford, DE 19963

Ford - Chevrolet - Dodge - Jeep
Lincoln - Honda - Buick - GMC - Toyota - Nissan

(800) 698-9825

(302) 422-3300

Fax: (302) 839-0555

NJ State Contract #A88729 (T2776), comm. code 071-80-084095
Line #13, Section 2: Police Vehicle, Sedan, RWD, 200" Overall Length

Mike Wright, Government Sales Manager
Hertrich Fleet Services Inc
1427 Bay Rd
Milford, DE 19963
Phone: (800) 698-9825
Fax: (302) 839-0555
Email: mwright@hertrichfleet.com

QUOTE FOR: MONTVALE PD

#11302020-03

2021 Dodge Charger 4dr Sedan Police RWD LDDE48

SELECTED OPTIONS:

<u>Code</u>	<u>Description</u>
EZH	ENGINE: 5.7L V8 HEMI MDS VVT
DFK	TRANSMISSION: 8-Speed Automatic (8HP70)
26A	QUICK ORDER PACKAGE 26A -inc: Engine: 5.7L V8 HEMI MDS VVT, Transmission: 8-Speed Automatic (8HP70)
TWW	TIRES: P225/60R18 BSW PERFORMANCE
C8X9	BLACK, HEAVY DUTY CLOTH BUCKET & REAR BENCH SEATS

BASE CONTRACT PRICE: \$24697.00

EXTERIOR COLOR:

<u>Code</u>	<u>Description</u>	<u>Price</u>
PX8	PITCH BLACK CLEAR COAT	\$0.00

ADDITIONAL OPTIONS:

<u>Code</u>	<u>Description</u>	<u>Price</u>
LDDE48	ALL WHEEL DRIVE (INCLUDES 3.6L V6 ENGINE)	\$2364.00
GUK	POWER HEATED MIRRORS w/Man F/Away -inc: Exterior Mirrors w/	\$52.80
MDA	FRONT LICENSE PLATE BRACKET	\$0.00
LNF	BLACK LEFT SPOT LAMP	\$184.80
LNK	LED SPOT LAMP (LED bulb ILO halogen, REQUIRES LNF)	\$132.00
GXF	ENTIRE FLEET ALIKE KEY (FREQ 1)	\$123.20

TOTAL W/OPTIONS: \$27553.80

DELIVERY: 90 TO 120 DAYS ARO

x 2
55,107.60

**BOROUGH OF MONTVALE
BERGEN COUNTY, NEW JERSEY
RESOLUTION NO. 203-2020**

RE: Authorize Release Of Performance Guarantee/Montvale Development Associates, LLC/ Block 2802/Lot 2 & 3 Block 1002/Lots 3 & 5/Posting Of Two Year Maintenance Bond

WHEREAS, Montvale Development Associates, Shoppes At DePiero Farm has requested a release of their cash Performance Guarantee; and

WHEREAS, a completed inspection of the site has been conducted by Maser Consulting P.A., based on the escrow owed Maser Consulting takes no exception to the release of the reimbursement of the outstanding escrow from the remaining performance guarantee in the amount \$12,183.75 dating back to March 2020; and

WHEREAS, Maser Consulting P.A. recommends the Borough release the remaining Performance Guarantee of \$200,000.00 less the outstanding escrow in the amount of \$12,183.75 or \$187,816.25; and

WHEREAS, A condition of the release of the remainder of the Performance Guarantee is the requirement to furnish a two-year Maintenance Guarantee in the amount of \$1,254,006.00; and

WHEREAS, details of this release are stated in a letter dated December 3, 2020 from Borough Engineer, Andrew Hipolit and has been made a part of this resolution; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Montvale that Accounts Payable/Accounts Receivable Department is hereby authorized to release the cash performance guarantee for Montvale Development Associates, LLC when the Two Year Maintenance Bond in the amount of \$1,254,006.00 shall be posted with the Municipal Clerk of the Borough of Montvale and a copy of this resolution shall be sent to Antimo A. DeVecchio of Beattie Padavano, LLC Counsellors At Law, 50 Chestnut Ridge Road, Suite 208, Montvale, NJ 07645.

Councilmember	Motion	Second	Yes	No	Absent	Abstain	No Vote
Arendacs							
Curry							
Koelling							
Lane							
Roche							
Russo-Vogelsang							

Adopted: December 8, 2020

ATTEST:

Maureen Iarossi-Alwan
Municipal Clerk

APPROVED:

Michael Ghassali
Mayor



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

400 Valley Road, Suite 304
Mount Arlington, NJ 07856
T: 973.398.3110
F: 973.398.3199
www.maserconsulting.com

December 4, 2020

VIA EMAIL

Maureen Iarossi-Alwan, Borough Clerk/Borough Administrator
Borough of Montvale
12 Mercedes Drive, 2nd Floor
Montvale, NJ 07645

Re: Recommendation for Performance Guarantee Release - *Amended*
Montvale Development Associates, LLC
Block 2802, Lots 2 & 3
Block 1002, Lots 3 & 5
Borough of Montvale, Bergen County, New Jersey
MC Project No. MVP-197A

Dear Ms. Iarossi-Alwan:

Our office is in receipt of the attached November 20, 2020 request from Antimo A. Del Vecchio of Beattie Padovano, LLC, for the release of the remaining \$200,0000.00 Performance Guarantee (cash portion) for the referenced project.

Certain site improvements were required as a condition in our prior Release letter dated August 15, 2019 (attached), which at the time reduced the Performance Guarantee to a cash amount of \$200,000.00. Those items remaining from that letter were limited to the following, with our comments noted in ***bold and italics***:

1. The Applicant shall provide a schedule for the removal of the soil stockpile on the "Phase II" property. ***We note that the Applicant has made significant progress in the removal of this soil in advance of future development of the Phase II portion of the site. Based on this continuing effort, we take no exception to the release of the Performance Guarantee as noted below.***
2. A number of meetings have been held with the Applicant regarding landscaping. Per Gus Di Blasio of Maser Consulting, a revised landscaping plan is to be submitted by the Applicant. Our office is not yet in receipt of this plan. ***The Applicant has indicated that landscaping upgrades will be installed in conjunction with the completion of the North Market (formerly Triboro) project landscaping. Based on the above, we take no exception to the release of the Performance Guarantee as noted below.***



The Applicant, Antimo Del Vecchio also stated that they "...authorize that the additional escrow monies requested be paid from the remaining cash bond and the balance of the bond returned." *We take no exception to the reimbursement of the outstanding escrow from the remaining Performance Guarantee. Our office has attached vouchers in the amount of \$12,183.75 representing both Construction Management and Site Inspection efforts by Maser, dating back to March 2020, for this project.*

Based on the above, we recommend the Borough release the remaining Performance Guarantee of \$200,000.00, less the outstanding escrow requests in the amount of \$12,183.75, or **\$187,816.25**. As noted in our letter dated September 16, 2015 (also attached), and as a condition of the release of the remainder of the Performance Guarantee, the Applicant will be required to furnish a two-year Maintenance Guarantee in the amount of \$1,254,006.00.

Thank you for your kind attention in this matter. Please do not hesitate to contact me should you have any questions.

Very truly yours,

MASER CONSULTING, INC.

A handwritten signature in black ink, appearing to read 'A. Hipolit'.

Andrew R. Hipolit, P.E., P.P., C.M.E., C.P.W.M.
Borough Engineer

ARH/cd/ljb

Attachments

cc: Antimo Del Vecchio, Esq., Applicant's Attorney (ADelVecchio@beattielaw.com)
Lorraine Hutter, Board Secretary (lhutter@montvaleboro.org)
Christine Kafafut, Treasurer (ckafafut@montvaleboro.org)
Robert T. Regan, Esq., Board Attorney (rtregan@rtreganlaw.com)
Darlene Green, P.P., AICP, Board Planner (dgreen@maserconsulting.com)

MARTIN W. KAFAFIAN (NJ, NY, DC BARS)
ADOLPH A. ROMEL (NJ, NY BARS)
JOHN J. LAMB (NJ BAR)
ANTIMO A. DEL VECCHIO (NJ, NY, DC BARS)
ROBERT A. BLASS (NJ, NY BARS)
ARTHUR N. CHAGARIS (NJ BAR)
STEVEN A. WEISFELD (NJ, NY BARS)
IRA E. WEINER (NJ BAR)
RENATA A. HELSTOSKI (NJ, NY BARS)
MICHAEL STERNLIEB (NJ BAR)
DANIELE CERVINO (NJ, NY BARS)
ARTHUR M. NEISS (NJ, NY BARS)
DANIEL L. STEINHAGEN (NJ, NY BARS)

OF COUNSEL

JAMES R. BEATTIE (NJ BAR)
ROGER W. BRESLIN, JR. (NJ BAR)
THOMAS W. DUNN (NJ BAR)
DANA B. COBB (NJ, NY BARS)
IRA J. KALTMAN (NJ, NY BARS)
MARY ELLEN B. OFFER (NJ, NY BARS)
EMERY C. DUELL (NJ, NY BARS)
JOSEPH A. RIZZI (NJ BAR)
PATRICK J. MONAGHAN, JR. (NJ, NY BARS)



BEATTIE
PADOVANO LLP

COUNSELLORS AT LAW
50 CHESTNUT RIDGE ROAD, SUITE 208
MONTVALE, NEW JERSEY 07645-1845

(201) 573-1810

www.beattielaw.com

NEW YORK OFFICE:
99 MAIN STREET, SUITE 319
NYACK, NEW YORK 10960
(845) 512-8584

COUNSEL TO THE FIRM
BRENDA J. STEWART (NJ BAR)
JAMES V. ZARRILLO (NJ, NY BARS)
JEANETTE A. ODYSKI (NJ, NY BARS)
CRISTIN M. KEEGAN (NJ, NY BARS)

MARTIN R. KAFAFIAN (NJ, NY BARS)
MARIYA GONOR (NJ, NY BARS)
JOHN B. STEPHENSON (NJ BAR)
IAN M. EASTWICK (NJ, NY BARS)
KIMBERLEY A. BRUNNER (NJ, NY BARS)
JOSEPH A. DIPISA III (NJ, NY BARS)
JEANMARIE DUNN-KANE (NJ, NY, PA BARS)
JASON A. CHERCHIA (NJ, NY BARS)

RALPH J. PADOVANO (1935-2016)

Writer's Direct Access

Email: adelvecchio@beattielaw.com
Direct Dial: (201) 799-2149
Direct Fax: (201) 642-5307
Reply to New Jersey Office

November 20, 2020

Via Email and Certified Mail, R/R/R

Maureen Iarossi-Alwan, Borough Administrator
Borough of Montvale
12 Mercedes Drive
Montvale, NJ 07645

**Re: Montvale Development Associates, LLC
The Shoppes at DePiero Farm
Block 2802, Lot 2, Qualifiers C001A and C001B
Formerly designated Block 2802, Lots 2 and 3 and Block 1002, Lots 3 and 5
Montvale, New Jersey**

Dear Ms. Iarossi-Alwan:

This office represents Montvale Development Associates, LLC in connection with a Developers Agreement entered into with the Borough of Montvale for the above referenced properties. Performance Surety Bond No. SUR54000016, as issued by Ironshore Indemnity Inc. dated September 22, 2018, in the amount of \$4,357,800.00 with the beneficiary being the Borough of Montvale and \$484,200.00 representing the cash portion of the Performance Bond were posted for this project. Pursuant to a prior request, the Borough approved a reduction of these guarantees resulting in the return of the full bond and left in place \$200,000 cash bond intended to insure the vitality of the landscaping.

Please be advised that, at this time, all of the work required by the approvals and the terms of the Developers Agreement have been completed. Accordingly, I would ask that the necessary inspections needed to confirm the completion of the project be made as soon as possible and that the remaining \$200,000 cash posted for this project be fully released. In accordance with the requirements of the Municipal Land Use Law, I am transmitting a copy of this letter to the Borough Engineer, Andrew Hipolit, by certified mail, return receipt requested.

Fifty Years of Service

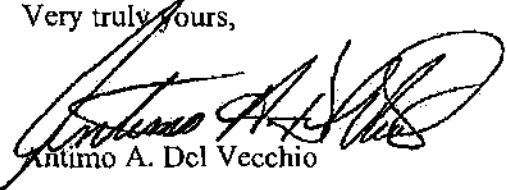
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Maureen Iarossi-Alwan, Borough Administrator
November 20, 2020
Page 2

We are aware that there is a request that additional monies be posted for the escrow account. We hereby authorize that the additional escrow monies requested be paid from the remaining cash bond and the balance of the bond returned. I would also request that you please advise me of any and all meetings at which the Mayor and Council, Planning Board or any other body may discuss or otherwise consider this request.

Should you have any questions or require additional information, please do not hesitate to call me

Very truly yours,



Antimo A. Del Vecchio

ADV:rcf- Enc.

c: Andrew Hipolit (via Email and certified mail, return receipt requested)



Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

400 Valley Road, Suite 304
Mount Arlington, NJ 07856
T: 973.398.3110
F: 973.398.3199
www.maserconsulting.com

September 16, 2015

VIA E-MAIL & REGULAR MAIL

Robert Regan, Esq.
345 Kinderkamack Road
Westwood, NJ 07675

Re: Performance Bonding/Escrow Requirement
Montvale Development Associates, LLC
Block 2802, Lots 2 & 3
Block 1002, Lots 3 & 5
Mercedes Drive & Grand Avenue West
Borough of Montvale, Bergen County, New Jersey
MC Project No.: MVP-197A

Dear Mr. Regan:

Based on our review of the referenced documents in Exhibit 1, the Applicant shall provide the following performance bonding/escrow for the above-referenced project.

1. The Engineer's construction cost estimate dated August 5, 2015 and prepared by L2A Land Design, LLC (attached) for site work is \$8,360,043.97.
2. N.J.S.A. 40:55D-53 allows the Borough to require the developer to post a Performance Guarantee of an amount not to exceed 120% of the cost of installation of the improvements. It also allows the Borough to require the developer to post no more than ten percent (10%) of the guarantee in the form of cash.
3. The Applicant has requested a phased bonding schedule for development of the above-referenced property. The Applicant has indicated that they will construct the work in three (3) phases.

• Phase 1	=	\$4,035,000.00
• Phase 2	=	\$1,300,000.00
• Phase 3	=	<u>\$3,025,043.97</u>

Total cost	=	\$8,360,043.97
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The Applicant will be required to post 120% of the Phase 1 cost, which is \$4,842,000.00. Ten percent (10%) of this number shall be posted in the form of cash \$484,200.00, and 90% shall be posted in the form of a bond \$4,357,800.00. It should be noted that the developer must complete Phase 1 work prior to commencing work on Phase 2 and must complete Phase 2 prior to the start of Phase 3.

4. After the Borough accepts the site improvements, a maintenance bond shall be posted. N.J.S.A. 40:55D-53 allows the Borough to require the developer to post 15% of the cost of installation of improvements, which would result in a \$1,254,006.60 maintenance bond. N.J.S.A. 40:55D-53 restricts the time this bond can be held for two (2) years from acceptance of improvements.
5. N.J.S.A. 40:55D-53h allows for the Borough to collect fees in the amount not to exceed the greater of \$500 or 5% of the cost of the improvements to cover inspection services. Therefore, the Borough will require the Applicant to post \$418,002.20 in an escrow account to cover the Borough's inspection fees.

Thank you for your kind attention in this matter. Please contact me should you have any questions.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in black ink, appearing to read "A. Hipolit", written over the printed name.

Andrew R. Hipolit, P.E., P.P., C.M.E.
Borough Engineer

ARH/cnm

cc: Planning Board, via Board Secretary (via e-mail)
Lorraine Hutter, Board Secretary (via e-mail)
Jeffrey Fette, Construction Official (via e-mail)
Peter Hekemian, S. Hekemian Group (via e-mail)

RESOLUTION

BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, N.J., that the following bills, having been referred to the Borough Council and found correct, be and the same hereby be paid:

<u>FUND</u>	<u>AMOUNT</u>	<u>NOTES</u>
Current	\$2,923,875.94	Bill List Wire 12/8/2020
	<u>352,088.65</u>	Wires/Manual Checks
Current TOTAL	3,275,964.59	
Capital	118,610.17	Bill List Wire 12/8/2020
Escrow	22,966.48	Bill List Wire 12/8/2020
Housing Trust	4,080.73	Bill List Wire 12/8/2020
General Trust	254.38	Bill List Wire 12/8/2020

*This resolution was adopted by the Mayor and Council of Montvale
at a meeting held on 12/8/20*

Introduced by: _____

Approved: 12/8/20

Seconded by: _____

Michael Ghassali, Mayor

ATTEST:

Maureen Iarossi-Alwan, Municipal Clerk

MANUAL/VOID CHECKS - WIRES
December 8, 2020

<u>Check #</u>	<u>PO #</u>	<u>Date</u>	<u>Transaction/Vendor</u>	<u>Amount</u>
WIRE		11/25/20	Payroll Account-Current	\$228,995.72
WIRE		11/25/20	Salary Deduction Account	\$122,930.43
WIRE		11/25/20	FSA Account	\$162.50
Total				<u>\$352,088.65</u>

P.O. Type: All
Range: First to Last
Format: Condensed

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00019 MUNICIPAL CAPITAL CORPORATION								
	20-00022	01/06/20	COPY MACHINE LEASE - MAILROOM	Open	399.00	0.00		B
	20-00023	01/06/20	COPY MACHINE LEASE - POLICE	Open	179.00	0.00		B
	20-00576	05/26/20	WIDE FORMAT COLOR COPIER	Open	444.00	0.00		B
					1,022.00			
00027 BT SPECIALTIES								
	20-01366	11/02/20	Retirement J. Fette	Open	113.62	0.00		
	20-01441	11/16/20	VOORHEES SERVICE AWARD	Open	87.00	0.00		
					200.62			
00043 NORTH JERSEY MEDIA GROUP								
	20-01410	11/12/20	395748 ADVERTISING - OCTOBER	Open	487.21	0.00		
00047 D & E UNIFORM								
	19-01564	10/31/19	BOWAN 141 CLOTHING ALLOWANCE	Open	575.00	0.00		
00064 MUNNOS ITALIAN DELI								
	20-01367	11/02/20	ELECTION FOOD 11/3/2020	Open	264.65	0.00		
00102 MGL PRINTING SOLUTIONS								
	20-01354	10/30/20	CLAIMS CHECKS PURCHASE ORDERS	Open	1,743.00	0.00		
00104 MONTVALE BOARD OF EDUCATION								
	20-00015	01/06/20	LOCAL SCHOOL TAXES 2020	Open	1,415,320.00	0.00		B
00137 PASCACK VALLEY REGIONAL HS DST								
	20-00014	01/06/20	REGIONAL SCHOOL TAXES 2020	Open	1,253,890.00	0.00		B
00139 SCORDO, FRANCES								
	20-01506	12/01/20	PETTY CASH	Open	311.81	0.00		
00142 PITNEY BOWES, INC.								
	20-01303	10/21/20	E-Z Seal 4 bottles	Open	71.99	0.00		
00186 PRIMEPAY, LLC								
	20-00037	01/07/20	2020 FSA FEES	Open	115.50	0.00		B
00215 TOWNSHIP OF RIVER VALE								
	20-00016	01/06/20	PASCACK VALLEY DPW 2020	Open	149,681.50	0.00		B
00320 NEW JERSEY ELEVATOR INSPECTION								
	20-01344	10/29/20	ELEVATOR INSPECTIONS-JULY 2020	Open	6,923.00	0.00		
	20-01345	10/29/20	ELEVATOR INSPECTIONS-AUG 2020	Open	11,564.00	0.00		
					18,487.00			
00497 LEVITZKI, ANN								
	20-00289	02/24/20	COURT - CELL PHONE	Open	49.53	0.00		B

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00597 EXCELL CLINICAL LAB, INC.	20-01390	11/09/20	COVID-19 TESTING	Open	3,510.00	0.00		
00604 NOBLE WOOD FLOORS CORP.	20-00586	05/27/20	CONSTRUCTION FEE REFUND	Open	225.00	0.00		
00635 CDW GOVERNMENT	20-01272	10/15/20	APPLE MACBOOK PRO	Open	2,277.59	0.00		
00730 BOGGIA & BOGGIA, ESQS.	20-00219	02/06/20	2020 LEGAL RETAINER	Open	11,250.00	0.00		B
	20-01198	10/01/20	TRUST - RESERVE FOR HOUSING	Open	3,780.73	0.00		
					15,030.73			
00731 MASER CONSULTING P.A.	19-01004	07/17/19	LATRENTA FIELD IMPROV.-CONSTRU	Open	3,647.50	0.00		B
	20-00307	02/28/20	ENGINEER RETAINER 2020	Open	450.00	0.00		B
	20-00426	04/14/20	2020 ROAD IMPROVEMENT PROGRAM	Open	935.00	0.00		B
	20-00787	07/06/20	EDGREN WAY & RAMAPO RD IMPROV	Open	860.00	0.00		B
	20-01196	10/01/20	PARAGON/PHILLIPS CONSTRUCT/OBS	Open	5,815.00	0.00		B
	20-01285	10/19/20	TIER A STORMWATER REPORTING	Open	286.25	0.00		B
	20-01330	10/28/20	ESCROW PAYMENTS	Open	3,762.50	0.00		
	20-01381	11/04/20	MUNICIPAL ENGINEERING REVIEW	Open	175.00	0.00		
	20-01455	11/18/20	ESCROW PAYMENTS	Open	4,870.00	0.00		
	20-01456	11/18/20	ESCROW PAYMENTS	Open	7,138.75	0.00		
	20-01457	11/18/20	ESCROW PAYMENTS	Open	2,817.15	0.00		
	20-01458	11/18/20	ESCROW PAYMENTS	Open	1,073.58	0.00		
	20-01459	11/18/20	GENERAL WORK	Open	427.50	0.00		
					32,258.23			
00793 CAMPBELL FIRE PROTECTION INC.	20-01044	08/31/20	SERVICING FIRE EXTINGUISHERS	Open	1,362.75	0.00		
00836 BARNWELL HOUSE OF TIRES	20-01335	10/28/20	REPLACEMENT TIRES M5 FIRETRUCK	Open	7,630.32	0.00		
00837 LUPINACCI, ROSANNE	20-01363	10/30/20	FENCE REPAIR	Open	432.36	0.00		
00844 KELLER, CLAIRE	20-01419	11/16/20	REFUND OF REGISTRATION FEE	Open	90.00	0.00		
00846 BIRKENMAIER, KURT	20-01420	11/16/20	REFUND OF REGISTRATION FEE	Open	80.00	0.00		
00849 BORTHWICK, LUCILLE	20-01421	11/16/20	REFUND OF REGISTRATION FEE	Open	45.00	0.00		
00856 WATSON, CONNIE	20-01423	11/16/20	REFUND OF REGISTRATION FEE	Open	45.00	0.00		
00861 JELENSKI, JANET	20-01424	11/16/20	REFUND OF REGISTRATION FEE	Open	45.00	0.00		

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
00867 STONEHAM, DONALD	20-01425	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00871 OHAYON, STEVE	20-01426	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00872 FRIEDMAN, EVA	20-01427	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00878 DALEY, ROBERT	20-01429	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00880 GONZALEZ, EULOGIO	20-01430	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00882 STERN, JOEL	20-01431	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00883 MEISTERICH, JAMES	20-01432	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00894 HAHNEMANN, WERNER	20-01434	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00896 GIAMMARINO, MICHAEL	20-00019	01/06/20	2020 INTERPRETER SERVICES	Open	600.00	0.00		B
00897 MELLON, KELLY	20-01436	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00901 HOPPER, LEIGH	20-01437	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00902 BRODERICK, JOHN	20-01438	11/16/20	REFUND OF REGISTRATION FEE	Open	40.00	0.00		
00913 SITEONE LANDSCAPE SUPPLY LLC	20-01418	11/16/20	STEEL LANDSCAPE EDGING	Open	1,134.86	0.00		
00916 WALDT, RONALD G	20-01472	11/19/20	REFUND OF TAX OVERPAYMENT	Open	1,920.27	0.00		
01028 HAWKEN, CHRISTOPHER	20-01399	11/10/20	REIMB CLOTHING ALLOWANCE	Open	120.00	0.00		
01063 SUMMIT RIDGE CONDOMINIUM	20-01341	10/29/20	HOMEOwner ASSOC FEE ASSISTANCE	Open	50.00	0.00		
01132 COOPERATIVE COMMUNICATIONS, INC	20-00185	01/30/20	201-391-5700 BORO PHONE 2020	Open	1,997.98	0.00		B
01134 RESERVE ACCOUNT	20-01464	11/19/20	POSTAGE MACHINE REFILL - DEC	Open	800.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01238 PASSAIC COUNTY POLICE ACADEMY	20-01403	11/10/20	PD COMM TRCK ENFORCEMENT CLASS	Open	70.00	0.00		
01241 PIZZA INC.	20-01444	11/17/20	PLANNING BOARD MTG. 11/17/2020	Open	58.43	0.00		
01278 MCNERNEY & ASSOCIATES, INC	20-01478	11/23/20	PREPARATION OF PRELIM ANALYSIS	Open	1,100.00	0.00		
01367 VLADICK, MATTHEW	20-01402	11/10/20	REIMB CLOTHING ALLOWANCE	Open	208.97	0.00		
01370 AMERICAN CHAMBER OF COMMERCE	20-01352	10/30/20	Human Resource 2020-2021	Open	260.00	0.00		
01408 VALLEY VIEW AT MONTVALE COND.	20-01466	11/19/20	HOMEOWNER ASSOC FEE ASSISTANCE	Open	150.00	0.00		
01440 STEVE RICH & ASSOCIATES	20-00960	08/06/20	Install Headwall/pipe for Trail	Open	16,260.80	0.00		
01472 D.L.S.CONTRACTING, INC.	20-00683	06/18/20	2020 ROAD IMPROVEMENT PROGRAM	Open	107,352.67	0.00	B	
01515 LAWSOFT INC.	20-01067	09/02/20	PD LAWSOFT SERVER & INTERFACE	Open	5,000.00	0.00		
01593 AMERICAN LAWN SPRINKLER CO.	20-01360	10/30/20	WINTERIZATION/REPAIR SPRINKLER	Open	4,344.00	0.00		
	20-01362	10/30/20	SERVICE CALL/WINTERIZATION	Open	1,030.00	0.00		
					5,374.00			
01645 BOROUGH OF WOODCLIFF LAKE	20-00368	03/11/20	TRI-BORO DISPATCH COORD. FEE	Open	772.33	0.00	B	
01680 WEGMANS BUSINESS	20-01442	11/16/20	EMPLOYEE APPRECIATION/SAFETY	Open	59.57	0.00		
01748 WERBA, JOSEPH	20-01401	11/10/20	REIMB CLOTHING ALLOWANCE	Open	284.17	0.00		
01833 MCGEE, HEATHER (PETTY CASH)	20-01490	11/25/20	PETTY CASH REIMBURSEMENT	Open	278.17	0.00		
01842 VALLEY TENT RENTAL	20-01049	08/31/20	Chair rental 9/11 Ceremony	Open	255.25	0.00		
01849 NEW JERSEY FIRE EQUIPMENT CO.	20-01174	09/25/20	SCOTT SAFETY CYLINDER & VALVE	Open	4,368.60	0.00		
	20-01336	10/28/20	FIRE-DEX TRADITION FIRE HELMET	Open	1,646.70	0.00		
					6,015.30			

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Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
01879 RESERVE @ MONTVALE	20-01342	10/29/20	HOMEOWNER ASSOC FEE ASSISTANCE	Open	100.00	0.00		
01968 DISPOTO, NICHOLAS	20-01404	11/10/20	REIMB CLOTHING ALLOWANCE	Open	98.94	0.00		
02141 REGAN, ROBERT T., ESQ.	20-00374	03/13/20	2020 RETAINER	Open	3,750.00	0.00		B
	20-01454	11/18/20	ESCROW PAYMENTS	Open	3,304.50	0.00		
					7,054.50			
02559 INS.DESIGN ADMINSTRATORS	20-00055	01/07/20	BOROUGH VISION PLAN	Open	217.00	0.00		B
03060 TRI-STATE TECHNICAL SERVICES	20-00024	01/07/20	2020 ADOBE SOFTWARE LEASE	Open	36.38	0.00		B
	20-01471	11/19/20	F.D. COMPUTER NETWORK UPGRADE	Open	2,469.00	0.00		
	20-01476	11/23/20	ZOOM MONTHLY CHARGE - COURT	Open	17.05	0.00		
					2,522.43			
03280 FREMGEN'S POWER EQUIPMENT, INC	20-01389	11/05/20	POWER EQUIPMENT FIRE DEPT.	Open	3,629.92	0.00		
03727 STAPLES INC	20-01108	09/11/20	office supplies	Open	163.88	0.00		
	20-01398	11/09/20	OFFICE SUPPLIES	Open	186.47	0.00		
					350.35			
Total Purchase Orders: 91				Total P.O. Line Items: 0	Total List Amount: 3,069,787.70	Total Void Amount: 0.00		

Totals by Year-Fund						
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total
CURRENT FUND 2020	0-01	2,907,624.14	0.00	2,907,624.14	0.00	0.00
CURRENT FUND 2019	9-01	16,251.80	0.00	16,251.80	0.00	0.00
CAPITAL FUND	C-04	118,610.17	0.00	118,610.17	0.00	0.00
BOA ESCROW ACCOUNT	E-08	22,966.48	0.00	22,966.48	0.00	0.00
OTHER TRUST ACCOUNT	T-03	4,335.11	0.00	4,335.11	0.00	0.00
Total of All Funds:		3,069,787.70	0.00	3,069,787.70	0.00	0.00